

DECLARATION OF WESLEY ELLIS

I, Wesley Ellis, do hereby declare:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the United States Department of Homeland Security, Homeland Security Investigations (HSI) where I have been since August 2020. As a SA with HSI, I have received training from the Federal Law Enforcement Training Center (FLETC) in Glynco, GA, graduating from the Criminal Investigator Training Program (CITP) and the Homeland Security Investigations Special Agent Training Program (HSISAT). I am a law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and I am authorized by law to conduct investigations and to make arrests for felony offenses. Prior to becoming a SA with HSI, I worked for 12 years as an agent for Customs and Border Protection (CBP).

PURPOSE OF THIS DECLARATION

2. This declaration is submitted in support of a Complaint *in rem* for forfeiture of a 2019 Chevy Silverado 3500 LTZ pickup, VIN# 1GC4KXCY5KF121614, with its tools and appurtenances, registered and owned by Carlos MARTIN (hereinafter “**Defendant Truck**”) and \$16,951 U.S. Currency (hereinafter “**Defendant Currency**”) seized from Carlos MARTIN on September 22, 2022, at a rural house on Red Blanket Road, Prospect, Oregon, 97536.

3. In this declaration, I will demonstrate that there is probable cause that the **Defendant Truck** and the **Defendant Currency** described above represent proceeds traceable to an exchange for controlled substances, and the **Defendant Truck** was used or intended to be used to facilitate the illegal production, conversion, and/or distribution of

marijuana, in violation of 21 U.S.C. § 841, and they are subject to forfeiture pursuant to the provisions of 21 U.S.C. § 881(a)(4) and (6).

4. The facts in this declaration come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This declaration is for the limited purpose of establishing probable cause for the Complaint. Therefore, I have not set forth each fact I have learned during this investigation, but only those facts and circumstances necessary to establish probable cause.

INDIVIDUALS INVOLVED IN THE INVESTIGATION

5. Carlos MARTIN operates a drug trafficking organization (DTO) based in Prospect, Oregon, that produces marijuana in Oregon and transports it to states outside of Oregon, to include Florida, where he also owns property.

SUMMARY OF INVESTIGATION

6. Carlos MARTIN and Peterlin JEANTILUS were witnessed at a warehouse on First Street, Prospect, Oregon, (hereinafter referred to as Location 1) by investigators performing surveillance operations at the location on September 19, 2022. Investigators witnessed them load what appeared to be dried marijuana into a Big Tex dump trailer attached to a black Chevrolet Pickup truck, identified as **Defendant Truck**. MARTIN and JEANTILUS were then seen driving the **Defendant Truck** and loaded trailer to the property at on Red Blanket Road in Prospect, Oregon (hereinafter referred to as Location 2).

7. On September 22, 2022, just days after investigators witnessed MARTIN and JEANTILUS hauling what appeared to be dried marijuana from Location 1 to Location 2, law enforcement executed simultaneous state search warrants at both locations for the illegal production and distribution of marijuana.

Warrant at Location 1: First Street in Prospect, Oregon

8. During the execution of the warrant at Location 1, investigators found that the commercial warehouse on the property was setup and operated as an illegal indoor grow for marijuana. Law enforcement seized approximately 816 KG of marijuana from the warehouse. Multiple tests of the plant materials were conducted onsite from Location 1 with an Orange Phototonix Cannabis Analyzer machine from LightLab, which confirmed the plants tested were consistent with marijuana. The Certificate of Analysis stated the samples from Location 1 showed a THC-CBD Ratio of 1:0, resulting in a High THC Sample. The Cannabinoid Profile showed that THC-A and Delta 9-THC were detected, however CBD was not.

Warrant at Location 2: Red Blanket Road in Prospect, Oregon

9. During the execution of the warrant at Location 2, the farm house where both MARTIN and JEANTILUS resided, law enforcement found the same black Chevrolet truck, **Defendant Truck**, and the BigTex dump trailer seen during surveillance just a few days before parked at warrant Location 2. Law enforcement seized approximately 1,070 KG of marijuana from Location 2. Multiple tests of the plant materials were also conducted onsite from Location 2 using an Orange Phototonix Cannabis Analyzer machine from LightLab. These tests confirmed the plants tested were consistent with marijuana. The Certificate of Analysis stated the samples from Location 2 were also showing a THC-CBD Ratio of 1:0, resulting in a High THC Sample. The Cannabinoid Profile also showed that THC-A and Delta 9-THC were detected, however CBD was not.

10. In addition to the illegal marijuana, law enforcement also seized the **Defendant Truck** and the **Defendant Currency** from Location 2. A total of \$16,951 in U.S. Currency

found within the residence in three different locations, as follows: \$14,760 in a safe in the bedroom used by MARTIN, \$565 in a dresser drawer within the same bedroom used by MARTIN, and the remaining \$1,626 was found on a coffee table in the living room. Also seized at the time of the warrant, but not a part of this Complaint, was the BigTex dump trailer, a Can-Am Outlander, and a Polaris Sportsman 850.¹

Interview of JEANTILUS

11. During a post Miranda interview with JEANTILUS during the Location 2 warrant, he stated that he was hired by MARTIN to run an indoor marijuana grow in the warehouse at Location 1. He told investigators that he has worked on marijuana grows for MARTIN for the last three or four years. JEANTILUS also stated that MARTIN would pay him 20% of the profits after the marijuana was harvested and distributed.

12. After JEANTILUS gave investigators consent to search his cell phone, investigators found messages between JEANTILUS and MARTIN. The messages confirmed that MARTIN had hired JEANTILUS to manage the indoor grow in Prospect, Oregon in 2022. Several of these messages show JEANTILUS and MARTIN discussing supplies needed for the grow, such as fertilizers and water piping. There are also several messages between JEANTILUS and MARTIN that have photographs and videos showing progress on the grow at Location 1. Finally, in some of the videos sent to MARTIN, JEANTILUS can be heard giving the specific marijuana strain names as he videoed the plants being grown in the warehouse.

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¹ On September 22, 2022, Carols A. Martin abandoned on DHS Form 4607 all claims to the Big Tex trailer, the Can-Am Outlander, and the Polaris Sportsman 850. Therefore, these items are not a part of this Complaint.

Interview of MARTIN

13. In a post Miranda interview with MARTIN during the execution of the warrant at Location 2, MARTIN claimed that he only distributed and sold hemp and Cannabidiol (CBD) oil. Record checks indicate that MARTIN is listed on a least three LLCs in the state of Oregon, including Prospect Hemp Company LLC, which has a listed address on Red Blanket Road, Prospect, Oregon, Location 2. When asked about the LLCs, MARTIN stated that Prospect Hemp Company LLC was the only one that had business and that he hadn't really gotten the other two going yet. MARTIN claimed he made money by drying hemp for people and selling hemp starter clones.

14. Record checks show that MARTIN had a hemp license in 2019 and in 2020 for Prospect Hemp Company LLC; however, he did not have an active hemp license when the search warrant was executed. As stated above, approximately 1,070 KG of marijuana was seized at the Location 2 property at that time of the warrant. Several tests were conducted on random samplings of plants discovered on the property which resembled marijuana/hemp. Every test was positive for levels of THC that are found in marijuana and no tests conducted were consistent with hemp.

15. During the interview, MARTIN also claimed that he did not know about the marijuana grow at Location 1 and that he just rented the space to whoever had the grow. After being told that he had been under surveillance, MARTIN finally admitted to investigators that he had transported plants from the Location 1 to the Location 2 property and that there could be "weed²" mixed in with the hemp. Statements by JEANTILUS and Text Messages between MARTIN and JEANTILUS that were extracted from JEANTILUS'S

² Weed is a term used by growers when referencing marijuana plants.

phone clearly show that MARTIN directly participated in and funded the marijuana grow at Location 1.

Warrant for MARTIN'S cell phone

16. During the state warrant, MARTIN'S cell phone was also seized by investigators pursuant to the execution of the search warrant at Location 2. A federal search warrant was then applied for and granted allowing for a search of MARTIN'S cell phone. A forensic extraction of MARTIN'S cell phone was made, and the phone contents were then reviewed by investigators.

17. I have not read every message that was on the phone; however, I have read thousands of messages going back as far as 2019 between MARTIN and dozens of other people, including messages between MARTIN and JEANTILUS about marijuana dating back to October of 2020. I have seen very few messages about hemp and not really any about drying and selling; however, there are hundreds of messages about the production, sale, and distribution of marijuana. Some messages are about MARTIN purchasing starter plants of marijuana, in which specific strains and prices are listed but I did not see one message or invoice for hemp starter plants.

18. Some messages from MARTIN'S phone are of MARTIN purchasing and/or coordinating the purchase of supplies to grow marijuana. Some messages are of Martin selling marijuana, this includes selling marijuana to people he knows in Florida and coordinating with people in Florida. Some messages are also of MARTIN producing and selling Butane Hash Oil / Butane Honey Oil (BHO), which is a concentrated extraction of THC that is derived from marijuana. There are also numerous photographs and videos on the phone of marijuana, marijuana production, and BHO.

19. I did not however find any documents, photos, or videos of anything related to the production, drying, or distribution of hemp. I also did not see any discussions or transactions related to any other legitimate income producing activities in the phone. In fact, most conversations on the phone that I reviewed included something about marijuana. Therefore, based off what I have seen on the cell phone extraction, I believe MARTIN's income is derived from the production, sale, and distribution of marijuana and marijuana related products.

20. In MARTIN'S cell phone extraction, there are also numerous messages between Jaqueline PEREZ and MARTIN. Records indicate that the two share a home in Homestead, FL. During MARTIN's interview with investigators, he claimed that he had a transportation business in Florida and that PEREZ works for him and that she helps him rent out trailers and keeps his books. During the review of MARTIN'S phone however, there were no messages found between PEREZ and MARTIN about renting trailers. There were however numerous messages between the two about the distribution and sale of marijuana.

21. In addition, further review by investigators of JEANTILUS'S phone showed that JEANTILUS also had numerous messages with PEREZ, many of which related to the production and distribution of marijuana.

CONCLUSION

22. The evidence in this declaration provides probable cause to believe, and I do believe that the **Defendant Truck** and the **Defendant Currency** seized from the Location 2 constitute property furnished or intended to be furnished by any person in exchange for a controlled substance or proceeds traceable to such an exchange and the **Defendant Truck** was used or intended to be used to facilitate the illegal production, conversion, and/or

distribution of marijuana, in violation of 21 U.S.C. § 841 and therefore subject to forfeiture pursuant to the provisions of 21 U.S.C. § 881(a)(4) and (6).

23. I have presented this declaration to Assistant United States Attorney Judith Harper who has advised me that in her opinion, the proposed complaint is supported by probable cause.

I declare under penalty of perjury that the forgoing is true and correct pursuant to 28 U.S.C. § 1746.

Executed this ____ day of February 2024

Wesley Ellis
Special Agent
Homeland Security Investigations